

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Andre L. Bailey, )  
Plaintiff, ) Civil Action No. 6:10-1029-RBH-KFM  
vs. )  
Willie Bamberg, OCRDC; )  
Orangeburg County (38), )  
Defendants. )  
\_\_\_\_\_  
)

**REPORT OF MAGISTRATE JUDGE**

The plaintiff brought this action seeking relief pursuant to Title 42, United States Code, Section 1983.

Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., this magistrate judge is authorized to review all pretrial matters in cases filed under Title 42, United States Code, Section 1983, and submit findings and recommendations to the District Court.

By order filed May 18, 2010, this court authorized service in this case. On May 19, 2010, the Clerk of Court mailed a copy of the order to the plaintiff at his last known address (Orangeburg-Calhoun Regional Detention Center, P.O. Box 9000, Orangeburg, SC 29116). The envelope containing this notice was returned to the Clerk as the plaintiff apparently has been released from the Orangeburg-Calhoun Regional Detention Center.

A second piece of mail (case reassignment notice) sent to the plaintiff on May 28, 2010, was also returned to the Clerk marked "Out of Jail."

As the plaintiff has failed to keep the Court apprised of his current address, it appears he no longer wishes to pursue this action. Accordingly, it is recommended that this action be dismissed for lack of prosecution.

June 11, 2010  
Greenville, South Carolina

s/Kevin F. McDonald  
United States Magistrate Judge